



MEMORANDUM

DATE: February 11, 2008

TO: ALL INTERESTED PARTIES

FROM: STATE PERSONNEL BOARD – Executive Office

SUBJECT: Notice and Agenda for the February 22, 2008, Meeting of the State Personnel Board.

PLEASE TAKE NOTICE that on February 22, 2008, at the offices of the State Personnel Board, located at 801 Capitol Mall, Sacramento, California, 95814, the State Personnel Board will hold its regularly scheduled meeting.

The attached Agenda provides a brief description of each item to be considered and lists the date and approximate time for discussion of the item. Also noted is whether the item will be considered in closed or public session. Closed sessions are closed to members of the public. All discussions held in public sessions are open to those interested in attending. Interested members of the public who wish to address the Board on a public session item may request the opportunity to do so.

Should you wish to obtain a copy of any materials related to items considered in the public sessions of February 22, 2008, please contact staff in the Secretariat's Office via mail at State Personnel Board, 801 Capitol Mall, MS 52, Sacramento, California 95814 or by calling (916) 653-1028. Certain materials are also available via the Internet at: <http://www.spb.ca.gov/about/board/agenda/index.htm>.

Should you have any questions regarding this Notice and Agenda, please contact staff in the Secretariat's Office at the address or telephone number above.

Portia Jacobson
Secretariat's Office

Attachment

STATE PERSONNEL BOARD AGENDA



FEBRUARY 22, 2008

SACRAMENTO, CA



CALIFORNIA STATE PERSONNEL BOARD

801 Capitol Mall • Sacramento, California 95814 • www.spb.ca.gov

ARNOLD SCHWARZENEGGER, Governor



CALIFORNIA STATE PERSONNEL BOARD MEETING¹

801 Capitol Mall
Sacramento, California

Public Session Location – 801 Capitol Mall
Sacramento, CA 95814, Room 150

Closed Session Location – 801 Capitol Mall
Sacramento, CA 95814, Room 141

MID-MONTH BOARD MEETING – FEBRUARY 22, 2008

¹ Sign Language Interpreter will be provided for Board Meeting upon request - contact Secretariat at (916) 653-1028.

MID- MONTH BOARD MEETING AGENDA²

February 22, 2008

9:00 a.m. – 10:45 a.m.
(Or upon completion of business)

PLEASE NOTE: ALL TIMES ARE APPROXIMATE AND ARE SUBJECT TO CHANGE

PUBLIC SESSION OF THE STATE PERSONNEL BOARD

(9:00 a.m. – 9:15 a.m.)

1. **ROLL CALL**
2. **REPORT OF THE EXECUTIVE OFFICER**
 - **Suzanne M. Ambrose**
3. **REPORT OF THE CHIEF COUNSEL**
 - **Elise S. Rose**
4. **REPORT ON LEGISLATION**
 - **Sherry Evans**
5. **NEW BUSINESS**

Items may be raised by Board Members for scheduling and discussion for future meetings.

(9:15 a.m. – 9:45 a.m.)

6. HEARING – STATE PERSONNEL BOARD AND DEPARTMENT OF CORRECTIONS AND REHABILITATION

Proposed revisions to the minimum qualifications for the classifications of Staff Psychiatrist, Correctional and Rehabilitative Services, (Safety); Senior Psychiatrist, Correctional and Rehabilitative Services, (Safety); Senior Psychiatrist (Specialist), Correctional and Rehabilitative Services, (Safety); Senior Psychiatrist (Supervisor), Correctional and Rehabilitative Services, (Safety); Chief Psychiatrist, Correctional and Rehabilitative Services (Safety); and revisions to Alternate Range Criteria 444.

² The Agenda for the Board Meetings can be obtained at the following Internet address:
<http://www.spb.ca.gov/about/board/agenda/index.htm>

CLOSED SESSION OF THE STATE PERSONNEL BOARD

(9:45 a.m. – 10:30 a.m.)

7. EMPLOYEE APPOINTMENTS, DISCIPLINARY MATTERS, AND OTHER APPEALS

Deliberations to consider matters submitted at prior hearing.
[Government Code Sections 11126(c)(3), 18653(3)].

8. DELIBERATION ON NON-EVIDENTIARY CASES AND ADVERSE ACTIONS, DISCRIMINATION COMPLAINTS, AND OTHER PROPOSED DECISIONS SUBMITTED BY ADMINISTRATIVE LAW JUDGES

Deliberations on proposed, rejected, remanded, and submitted decisions; petitions for rehearing; and other matters related to cases heard by Administrative Law Judges of the State Personnel Board or by the Board itself.
[Government Code Sections 11126(c)(3), and 18653].

9. PENDING LITIGATION

Conference with legal counsel to confer with and receive advice regarding pending litigation when discussion in open session would be prejudicial.
[Government Code sections 11126(e)(1) and 18653].

California Highway Patrol, et al. v. State Personnel Board, et al.
Sacramento Superior Court
Case No. 34-2008-00002G14-CU-WM-GDS

California Department Corrections and Rehabilitation, et al. v. State Personnel Board, et al.
Sacramento Superior Court
Case No. 34-2007-00883875-CU-WM-GDS

Patrick McCollum v. State of California
United States District Court, Northern District of California
Case No. C 04-03339 CRB

Plata, et al. v. Schwarzenegger, et al.
Case No. C01-1351 THE

10. RECOMMENDATIONS TO THE LEGISLATURE

Deliberations on recommendations to the Legislature.
[Government Code section 18653].

11. RECOMMENDATIONS TO THE GOVERNOR

Deliberations on recommendations to the Governor.
[Government Code section 18653].

PUBLIC SESSION OF THE STATE PERSONNEL BOARD

(10:30 a.m. – 10:45 a.m.)

12. **DISCUSSION OF UPCOMING BOARD MEETING SCHEDULED FOR MARCH 3-4, 2008, IN LOS ANGELES, CALIFORNIA**

BOARD ACTIONS:

13. **ADOPTION OF THE STATE PERSONNEL BOARD SUMMARY MINUTES OF THE JANUARY 8, 2008 BOARD MEETING.**

14. **EVIDENTIARY CASES**

A. BOARD CASES SUBMITTED

These items have been taken under submission by the State Personnel Board at a prior meeting. Cases that are before the Board for vote will be provided under separate cover.

1) CASE NO. 05-1007EA

Appeal from denial of discrimination complaint

Classification: Outside contractor

Department: Department of Transportation

Proposed decision rejected December 19, 2006.

Pending oral argument April 3, 2007, Sacramento.

Oral argument continued.

Oral argument heard July 10, 2007, Sacramento.

Case ready for decision by FULL Board.

2) CASE NO. 06-3014PA

Appeal from official reprimand

Classification: Correctional Sergeant

Department: Department of Corrections and Rehabilitation

Petition for rehearing granted July 10, 2007.

Transcript prepared.

Pending oral argument October 9, 2007, Sacramento.

Oral argument continued.

Oral argument heard December 4, 2007, San Francisco.

Case ready for decision by FULL Board.

3) PSC No. 07-02, CASE NO. 07-003(b)

Appeal from Executive Officer's disapproval of Personal Services
Contract for Janitorial Services

Department: Health Services

Petition for rehearing granted May 8, 2007.

Oral argument heard September 4, 2007, Sacramento.

Case ready for decision by FULL Board.

4) PSC No. 07-04

Appeal from Executive Officer's disapproval of Personal Services
Contract for Psychological Services

Department: Department of Mental Health

Oral argument heard December 4, 2007, San Francisco.

Case ready for decision by FULL Board.

B. CASES PENDING

ORAL ARGUMENTS

These cases will be argued at this meeting or will be considered by the Board in closed session based on written arguments submitted by the parties.

NONE

C. CHIEF COUNSEL RESOLUTIONS

NONE

COURT REMANDS

These cases have been remanded to the Board by the court for further Board action.

CASE NO. 98-3128RB

STIPULATIONS

These stipulations have been submitted to the Board for Board approval, pursuant to Government Code, section 18681.

NONE

D. ADMINISTRATIVE LAW JUDGE'S (ALJ) PROPOSED DECISIONS

The Board Administrative Law Judges conduct evidentiary hearings in appeals that include, but are not limited to, adverse actions, medical terminations, demotions, discrimination, reasonable accommodations, and whistleblower complaints.

PROPOSED DECISIONS

These are ALJ proposed decisions submitted to the Board for the first time.

- 1) CASE NO. 07-1866**
Appeal from five percent reduction in salary for six months
Classification: Correctional Sergeant
Department: Department of Corrections & Rehabilitation
- 2) CASE NO. 05-3515**
Appeal from rejection during probationary period
Classification: Deputy Attorney, Caltrans
Department: Department of Transportation
- 3) CASE NO. 07-1914**
Appeal from five percent reduction in salary for 13 months
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation
- 4) CASE NO. 07-2056**
Appeal from rejection during probation
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation
- 5) CASE NO. 07-1577**
Appeal from dismissal and non-punitive termination
Classification: Correctional Officer
Department: Department of Corrections and Rehabilitation
- 6) CASE NO. 06-1598**
Appeal from 30 working days suspension
Classification: Officer
Department: Department of the California Highway Patrol
- 7) CASE NO. 07-3704**
Appeal from rejection during probation
Classification: Maintenance Mechanic, Correctional Facility
Department: Department of Corrections and Rehabilitation

- 8) **CASE NO. 07-1163**
Appeal from dismissal
Classification: Parole Agent II (Adult Parole Specialist)
Department: Department of Corrections and Rehabilitation
- 9) **CASE NO. 07-2658**
Appeal from automatic resignation
Classification: Administrative Analyst/Specialist
Department: California State University, Sacramento
- 10) **CASE NO. 07-0827**
Appeal from one month suspension
Classification: Case Service Assistant
Department: Department of Rehabilitation
- 11) **CASE NO. 06-1271**
Appeal from five days suspension
Classification: Facility Captain
Department: Department of Corrections & Rehabilitation

PROPOSED DECISIONS TAKEN UNDER SUBMISSION AT A PRIOR MEETING

NONE

PROPOSED DECISIONS AFTER BOARD REMAND

- 1) **CASE NO. 07-3856R**
Appeal from formal reprimand
Classification: Supervisor of Academic Instruction
Department: Department of Corrections & Rehabilitation
- 2) **CASE NO. 07-1512R**
Appeal from one-step reduction in salary for six months
Classification: Psychiatric Technician
Department: Department of Mental Health

PROPOSED DECISIONS AFTER SPB ARBITRATION

NONE

**PROPOSED DECISIONS SUBMITTED FOR RATIFICATION OF
ACTIONS TAKEN AT JANUARY 8, 2008, BOARD MEETING**

- 1) **CASE NO. 06-2333**
Appeal from ten percent reduction in salary for 12 months
Classification: Correctional Lieutenant
Department: Department of Corrections & Rehabilitation
- 2) **CASE NO. 06-1286**
Appeal from dismissal
Classification: Youth Correctional Counselor
Department: Department of Corrections & Rehabilitation
- 3) **CASE NO. 06-3776**
Appeal from dismissal
Classification: State Facilities Manager I
Department: Department of General Services
- 4) **CASE NO. 07-1418**
Appeal from ten percent reduction in salary for twenty-four months
Classification: Correctional Officer
Department: Department of Corrections & Rehabilitation
- 5) **CASE NO. 07-1243**
Appeal non-punitive termination
Classification: Automotive Equipment Operator I
Department: Department of Developmental Services
- 6) **CASE NOS. 98-4118B & 99-0772B**
Appeals from back-pay determination
Classification: Institution Artist/Facilitator
Department: Department of Corrections & Rehabilitation
- 7) **CASE NO. 06-0060**
Appeal from dismissal
Classification: Medical Technical Assistant
Department: Department of Corrections & Rehabilitation
- 8) **CASE NO. 07-1058**
Appeal from ten percent reduction in salary for six months
Classification: Correctional Counselor II
Department: Department of Corrections & Rehabilitation

- 9) **CASE NO. 06-4038**
Appeal from five percent reduction in salary for six months
Classification: Correctional Officer
Department: Department of Corrections & Rehabilitation
- 10) **CASE NO. 06-0973**
Appeal from dismissal
Classification: Stationary Engineer, Correctional Facility
Department: Department of Corrections & Rehabilitation
- 11) **CASE NO. 07-0579**
Appeal from dismissal
Classification: Psychiatric Technician Assistant
Department: Department of Mental Health
- 12) **CASE NO. 07-0580**
Appeal from dismissal
Classification: Correctional Officer
Department: Department of Corrections & Rehabilitation
- 13) **CASE NO. 07-0365**
Appeal from dismissal
Classification: Facility Captain
Department: Department of Corrections & Rehabilitation
- 14) **CASE NO. 07-1280**
Appeal from five-day suspension
Classification: Fraud Investigator
Department: Department of Health Services
- 15) **CASE NO. 06-3747**
Appeal from dismissal
Classification: Parole Agent I
Department: Department of Corrections & Rehabilitation

E. PETITIONS FOR REHEARING

ALJ PROPOSED DECISIONS ADOPTED BY THE BOARD

The Board will vote to grant or deny a petition for rehearing filed by one or both parties, regarding a case already decided by the Board.

- 1) **CASE NO. 00-1687AC**
Appeal from denial of request for reasonable accommodation
Classification: Correctional Lieutenant
Department: Department of Corrections and Rehabilitation

- 2) **CASE NO. 07-2680P**
Appeal from dismissal
Classification: Administrator II
Department: CSU, California Maritime Academy
- 3) **CASE NOS. 06-4707P & 07-1487P**
Appeal from 60 work days suspension and dismissal
Classification: Staff Psychiatrist
Department: Department of Corrections and Rehabilitation
- 4) **CASE NO. 06-1829NP**
Appeal of request to file charges
Classification: Former employee of the Department of Forestry and Fire Protection
- 5) **CASE NO. 05-1890P**
Appeal from demotion
Classification: Professor
Department: San Jose State University
- 6) **CASE NO. 05-1863EP**
Appeal from denial of discrimination complaint
Classification: Workers Compensation Insurance Technician
Department: State Compensation Insurance Fund
- 7) **CASE NO. 06-2890P**
Appeal from dismissal
Classification: Parole Agent I
Department: Department of Corrections and Rehabilitation

WHISTLEBLOWER NOTICE OF FINDINGS

The Board will vote to grant or deny a petition for rehearing filed by one or both parties, regarding a case previously decided pursuant to Government Code, section 19683 et seq. and Title 2, California Code of Regulations, section 56 et seq.

NONE

F. PENDING BOARD REVIEW

These cases are pending preparation of transcripts, briefs, or the setting of oral argument before the Board.

- 1) **CASE NO. 07-0850A**
Appeal from non-punitive termination
Classification: Clinical Social Worker
Department: Department of Corrections and Rehabilitation

Proposed decision rejected September 24, 2007.
Transcript prepared.
Oral argument set for February 4-5, 2008, Sacramento.
Oral argument continued.
Oral argument set for March 3-4, 2008, Los Angeles.

- 2) **CASE NO. 05-3327A**
Appeal from dismissal
Classification: Medical Technical Assistant
Department: Department of Corrections and Rehabilitation

Proposed decision rejected July 10, 2007.
Transcript prepared.
Oral argument set for February 4-5, 2008, Sacramento.
Oral argument continued.
Oral argument set for March 3-4, 2008, Los Angeles.

- 3) **CASE NO. 06-3747A**
Appeal from dismissal
Classification: Parole Agent I
Department: Department of Corrections and Rehabilitation

Proposed decision rejected January 8, 2008.
Pending transcript.

15. **RESOLUTION EXTENDING TIME PURSUANT TO GOVERNMENT CODE SECTION 18671.1**

NOTICE OF GOVERNMENT CODE SECTION 18671.1 RESOLUTION

Since Government Code section 18671.1 requires that cases pending before State Personnel Board Administrative Law Judges (ALJ's) be completed within six months or no later than 90 days after submission of a case, whichever is first, absent the publication of substantial reasons for needing an additional 45 days, the Board hereby publishes its substantial reasons for the need for the 45-day extension for some of the cases now pending before it for decision.

An additional 45 days may be required in cases that require multiple days of hearings, that have been delayed by unusual circumstances, or that involve any delay generated by either party (including, but not limited to, submission of written briefs, requests for settlement conferences, continuances, discovery disputes, pre-hearing motions). In such cases, six months may be inadequate for the ALJ to hear the entire case, prepare a proposed decision containing the detailed factual and legal analysis required by law, and for the State Personnel Board to

review the decision and adopt, modify or reject the proposed decision within the time limitations of the statute.

Therefore, at its next meeting, the Board will issue the attached resolution extending the time limitation by 45 days for all cases that meet the above criteria, and that have been before the Board for less than six months as of the date of the Board meeting.

GOVERNMENT CODE SECTION 18671.1 RESOLUTION

WHEREAS, Section 18671.1 provides that, absent waiver by the appellant, the time period in which the Board must render its decision on a petition pending before it shall not exceed six months from the date the petition was filed or 90 days from the date of submission; and

WHEREAS, Section 18671.1 also provides for an extension of the time limitations by 45 additional days if the Board publishes substantial reasons for the need for the extension in its calendar prior to the conclusion of the six-month period; and

WHEREAS, the Agenda for the instant Board meeting included an item titled "Notice of Government Code section 18671.1 Resolution" which sets forth substantial reasons for utilizing that 45-day extension to extend the time to decide particular cases pending before the Board;

WHEREAS, there are currently pending before the Board cases that have required multiple days of hearing and/or that have been delayed by unusual circumstances or by acts or omissions of the parties themselves;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the time limitations set forth in Government Code section 18671.1 are hereby extended an additional 45 days for all cases that have required multiple days of hearing or that have been delayed by acts or omissions of the parties or by unusual circumstances and that have been pending before the Board for less than six months as of the date this resolution is adopted.

16. NON-EVIDENTIARY CASES

A. WITHHOLD APPEALS

Cases heard by a Staff Hearing Officer, a managerial staff member of the State Personnel Board or investigated by Appeals Division staff. The Board will be presented recommendations by a Staff Hearing Officer or Appeals Division staff for final decision on each appeal.

WITHHOLD FROM CERTIFICATION **CASES HEARD BY A STAFF HEARING OFFICER**

NONE

WITHHOLD FROM CERTIFICATION
CASES NOT HEARD BY A STAFF HEARING OFFICER

- 1) **CASE NO. 06-4107N**
Classification: Correctional Officer
Department: California Department of Corrections & Rehabilitation
Issue: Gang affiliation.
- 2) **CASE NO. 07-3722N**
Classification: Correctional Officer
Department: California Department of Corrections & Rehabilitation
Issue: Illegal drug use.
- 3) **CASE NO. 06-3117N**
Classification: Correctional Officer
Department: California Department of Corrections & Rehabilitation
Issue: Failure to disclose all employers as well as written reprimands.
- 4) **CASE NO. 06-4558N**
Classification: Correctional Officer
Department: California Department of Corrections & Rehabilitation
Issue: Failure to accurately state education.
- 5) **CASE NO. 06-4546N**
Classification: Correctional Officer
Department: California Department of Corrections & Rehabilitation
Issue: Illegal drug use.
- 6) **CASE NO. 06-3028N**
Classification: Correctional Officer
Department: California Department of Corrections & Rehabilitation
Issue: Failure to provide honest and accurate information in his PHS, his discharge from the military for “unsatisfactory performance,” and negative law enforcement contacts.
- 7) **CASE NO. 06-3965N**
Classification: Correctional Officer
Department: California Department of Corrections & Rehabilitation
Issue: Failure to accurately disclose his employment history, the disciplinary actions taken against him and subsequent termination within one year of applying to the CDCR.

- 8) **CASE NO. 06-2438N**
Classification: Youth Correctional Counselor
Department: California Department of Corrections & Rehabilitation
Issue: Failure to provide honest and accurate information and negative law enforcement contact.

B. MEDICAL AND PSYCHOLOGICAL SCREENING APPEALS

Cases heard by a Staff Hearing Panel comprised of a managerial staff member of the State Personnel Board and a medical professional. The Board will be presented recommendations by a Hearing Panel on each appeal.

- 1) **CASE NO. 06-1818N**
Classification: Hospital Peace Officer
Department: Department of Mental Health

DISMISSED CASES

- **CASE NO. 07-4120N**
Classification: Psychiatric Technician
Department: Department of Mental Health
- **CASE NO. 07-4279N**
Classification: Cadet
Department: California Highway Patrol
- **CASE NO. 07-1877N**
Classification: Correctional Officer
Department: California Department of Corrections & Rehabilitation
- **CASE NO. 07-3512N**
Classification: Correctional Officer
Department: California Department of Corrections & Rehabilitation

C. EXAMINATION APPEALS, MINIMUM QUALIFICATIONS, MERIT ISSUE COMPLAINTS

Cases heard by a Staff Hearing Officer, a managerial staff member of the State Personnel Board or investigated by Appeals Division staff. The Board will be presented recommendations by a Staff Hearing Officer or Appeals Division staff for final decision on each appeal.

NONE

D. RULE 211 APPEALS, RULE 212 OUT OF CLASS APPEALS, VOIDED APPOINTMENT APPEALS

Cases heard by a Staff Hearing Officer, or a managerial staff member of the State Personnel Board. The Board will be presented recommendations by a Staff Hearing Officer for final decision on each appeal.

NONE

E. REQUEST TO FILE CHARGES CASES

Investigated by Appeals Division staff. The Board will be presented recommendations by Appeals Division staff for final decision on each request.

NONE

PETITIONS FOR REHEARING CASES

NONE

17. NON-HEARING CALENDAR

The following proposals are made to the State Personnel Board by either the Board staff or Department of Personnel Administration staff. It is anticipated that the Board will act on these proposals without a hearing.

Anyone with concerns or opposition to any of these proposals should submit a written notice to the Executive Officer clearly stating the nature of the concern or opposition. Such notice should explain how the issue in dispute is a merit employment matter within the Board's scope of authority as set forth in the State Civil Service Act (Government Code section 18500 et seq.) and Article VII of the California Constitution. Matters within the Board's scope of authority include, but are not limited to, personnel selection, employee status, discrimination and affirmative action. Matters outside the Board's scope of authority include, but are not limited to, compensation, employee benefits, position allocation, and organization structure. Such notice must be received not later than close of business on the Wednesday before the Board meeting at which the proposal is scheduled. Such notice from an exclusive bargaining representative will not be entertained after this deadline, provided the representative has received advance notice of the classification proposal pursuant to the applicable memorandum of understanding. In investigating matters outlined above, the Executive Officer shall act as the Board's authorized representative and recommend that the Board either act on the proposals as submitted without a hearing or schedule the items for a hearing, including a staff recommendation on resolution of the merit issues in dispute.

- A. BOARD ITEMS PRESENTED BY STATE PERSONNEL BOARD OR DEPARTMENT OF PERSONNEL ADMINISTRATION TO ESTABLISH, REVISE OR ABOLISH CLASSIFICATIONS, ALTERNATE RANGE CRITERIA, ETC.**

NONE

- B. ABOLISHMENT OF CLASSES THAT HAVE HAD NO INCUMBENTS FOR MORE THAN TWO YEARS. DEPARTMENTS THAT UTILIZE THE CLASS AS WELL AS THE APPROPRIATE UNION HAVE NO OBJECTION TO THE ABOLISHMENT OF THESE CLASSES.**

THE DEPARTMENT OF PERSONNEL ADMINISTRATION AND STATE PERSONNEL BOARD propose to abolish the following unused classifications, which have been vacant for more than twenty-four months. Departments that utilize the class as well as the appropriate union have no objection to the abolishment of these classes. When classes are proposed to be abolished which are part of a class series, and other classes within the series will continue to be used, the class specification is included in the board item.

Title	Class Code
Group Supervisor Trainee	9578

18. STAFF CALENDAR ITEMS FOR BOARD INFORMATION

NONE

19. CAREER EXECUTIVE ASSIGNMENT (CEA) CATEGORY ACTIVITY

This section of the Agenda serves to inform interested individuals and departments of proposed and approved CEA position actions.

The first section lists position actions that have been proposed and are currently under consideration.

Any parties having concerns with the merits of a proposed CEA position action should submit their concerns in writing to the Classification and Compensation Division of the Department of Personnel Administration, the Merit Operations Division of the State Personnel Board, and the department proposing the action.

To assure adequate time to consider objections to a CEA position action, issues should be presented immediately upon receipt of the State Personnel Board Agenda in which the proposed position action is noticed as being under consideration, and generally no later than a week to ten days after its publication.

In cases where a merit issue has been raised regarding a proposed CEA position action and the dispute cannot be resolved, a hearing before the five-member Board may be scheduled. If no merit issues are raised regarding a proposed CEA position action, and the State Personnel Board approves it, the action becomes effective without further action by the Board.

The second section of this portion of the Agenda reports those position actions that have been approved. They are effective as of the date they were approved by the Executive Officer of the State Personnel Board.

A. REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS CURRENTLY UNDER CONSIDERATION

1) PROJECT MANAGER, ENTERPRISE TRANSITION MANAGEMENT PROJECT, CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CalPERS)

The California Public Employees' Retirement System proposes to allocate the above position to the CEA category. The position will be responsible for managing and directing all activities associated with the Enterprise Transition Management Project (ETM) and will make recommendations to Executive Staff on issues that will support the Pension System Resumption Project (PSR). The Project Manager will act as a policy advisor to CalPERS Project Steering Committees, Business Owner Committee, and Executive Planning Committee.

2) PRINCIPAL HEALTH POLICY ADVISOR, CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CalPERS)

The California Public Employees' Retirement System proposes to allocate the above position to the CEA category. The position will serve as a high level policy liaison between the CalPERS Board President, Chair of the Board's Health Benefits Committee and the Board's Health Program Consultant and serve as an independent advisor to the Board on complex health policy issues.

3) BUSINESS DEPUTY, PENSION SYSTEMS RESUMPTION PROJECT, CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CalPERS)

The California Public Employees' Retirement System proposes to allocate the above position to the CEA category. The position will serve as an advisor to Division Chiefs, facilitates project-driven policy discussions with the Business Owners Committee and oversees the resolution of policy conflicts across multiple lines of business. The Business Deputy has a major role in the formulation and modification of departmental policies involving retirement and health operational practices, programs and services.

4) CHIEF COUNSEL, CALIFORNIA INFRASTRUCTURE AND ECONOMIC DEVELOPMENT BANK (I-BANK)

The California Infrastructure and Economic Development Bank (I-Bank) proposes to allocate the above position to the CEA category. The Chief Counsel serves as chief legal advisor on all legal issues, is responsible for the legal program for the I-Bank.

5) DEPUTY DIRECTOR, CALIFORNIA HIGH-SPEED RAIL AUTHORITY

The California High-Speed Rail Authority proposes to allocate the above position to the CEA category. The position will formulate policies for the Authority's Administration/Information Technology programs and the high-speed train program in the Central Valley and Los Angeles basin.

6) DEPUTY DIRECTOR, ENVIRONMENTAL SERVICES BRANCH

The California Department of Corrections and Rehabilitation proposes to allocate the above position to the CEA category. The Deputy Director is the management expert responsible for providing policy and procedural advice to the Director, Planning, Acquisition and Design Division; developing and implementing new policy and procedures; advising management on proposed legislation that may impact environmental services; overseeing the development of reports to the legislature required under existing and new statute; and representing the Department with the Legislature, Department of Finance, and at public hearings.

7) CHIEF, BUSINESS OPERATIONS UNIT

The California Department of Corrections and Rehabilitation, Plata Personnel Services, proposes to allocate the above position to the CEA category. The position has full responsibility and accountability for the planning, organization, direction and administration of the Business Operations Unit. The Chief will provide innovative program development and administration. The Chief will provide executive management, policy formulation, guidance, consultation, oversight, administration, technical assistance, and interpretation of administrative and business services standards, laws, rules, and regulations; and responds to questions from the Office of the Receiver.

8) ASSOCIATE DIRECTOR, SUPPORT OPERATIONS SECTION

The California Department of Corrections and Rehabilitation, Plata Personnel Services, proposes to allocate the above position to the CEA category. The position has full responsibility and accountability for the overall planning, organization, direction, and administration

of the Support Operations Section. The Associate Director will provide innovative program development and administration, and cross-program coordination to the Litigation Management, Telemedicine Services, Pharmacy Services, and Business Operations Units. The Associate Director provides executive management, policy formulation, guidance, consultation, oversight, administration, technical assistance and interpretation of medical-administrative and administrative standards, laws, rules and regulations; and responds to questions from and provides information to the Office of the Receiver.

9) COMPSTAT (COMPUTERIZED STATISTICS) ADMINISTRATOR, THE OFFICE OF AUDITS AND COMPLIANCE

The California Department of Corrections and Rehabilitation proposes to allocate the above position to the CEA category. The position is responsible for establishing and refining COMPSTAT processes including improvements in reporting program and departmental performance measures, and writing policies and procedures for the COMPSTAT process. The COMPSTAT Administrator will serve as the key departmental contact with stakeholders and program providers, respond to inquiries from the Governor's Office and the Legislature and serves as the principal advisor to the Secretary, Undersecretaries, departmental executive and management staff, Wardens, and Superintendents.

10) ASSISTANT DEPUTY DIRECTOR, CENTER FOR FAMILY HEALTH

The Department for Public Health proposes to allocate the above position to the CEA category. The Assistant Deputy Director, Center for Family Health is responsible for the day-to-day operations of the Center and, as such, is directly involved in program policy, planning and organization. This position is responsible for maintaining adequate processes and procedures to reduce disparities and promote improved health outcomes for the safety and protection of California's population.

11) DEPUTY DIRECTOR, CENTER FOR FAMILY HEALTH

The Department of Public Health proposes to allocate the above position to the CEA category. The Deputy Director of the Center for Family Health develops, implements, coordinates, evaluates, and manages family health programs designed to reduce disparities and promote improved health outcomes for California's population. This position effectively recommends and implements major statewide and departmental policy decisions for the effective operation of the Center for Family Health.

12) DEPUTY DIRECTOR, EXTERNAL AFFAIRS

The Department of Corrections and Rehabilitation (CDCR) proposes to allocate the above position to the CEA category. The position manages statewide outreach efforts to stakeholders who are integral to the successful implementation of the CDCR mission. The position has broad responsibility for policy development and implementation regarding external affairs functions or the full range of topics affecting the Department. The position directly advises the CDCR executive staff on External Affairs related issues and influence departmental policy that is implemented statewide.

13) DEPUTY COMMISSIONER, CREDIT UNION PROGRAM

The Department of Financial Institutions proposes to allocate the above position to the CEA category. The position is responsible for evaluating, developing, implementing policies for the Credit Union Program. The Deputy provides administrative oversight for an area of significant sensitivity involving the financial structure and systems of state licensed financial institutions and the public.

B. EXECUTIVE OFFICER DECISIONS REGARDING REQUESTS TO ESTABLISH NEW OR REVISE EXISTING CEA POSITIONS

ASSISTANT DEPUTY DIRECTOR, OFFICE OF HEALTH PLAN OVERSIGHT

The Department of Managed Health Care's request to allocate the above position has been approved January 10, 2008.

20. WRITTEN STAFF REPORT FOR BOARD INFORMATION

NONE

21. PRESENTATION OF EMERGENCY ITEMS AS NECESSARY

NONE

22. BOARD ACTIONS ON SUBMITTED ITEMS

These items have been taken under submission by the State Personnel Board at a prior meeting and may be before the Board for a vote at this meeting. This list does not include evidentiary cases, as those are listed separately by category on this agenda under Evidentiary Cases.

SUBMITTED

1. **TEACHER STATE HOSPITAL (SEVERELY), ETC.**
Departments of Mental Health and Developmental Services.
(Hearing held December 3, 2002).
2. **VOCATIONAL INSTRUCTOR (SAFETY) (VARIOUS SPECIALTIES)**
Departments of Mental Health and Developmental Services.
(Hearing held December 3, 2002).
3. **TELEVISION SPECIALIST (SAFETY)**
The Department of Corrections proposes to establish the new classification Television Specialist (Safety) by using the existing Television Specialist class specification and adding "Safety" as a parenthetical to recognize the public aspect of their job, additional language will be added to the Typical Tasks section of the class specification and a Special Physical Characteristics section will be added.
(Presented to Board March 4, 2003).
4. **PERSONAL SERVICES CONTRACT NO. 04-03**
Appeal of the California State Employees Association from the Executive Officer's April 15, 2004, Approval of Master Contracts between the California Department of Corrections and Staffing Solutions, CliniStaff, Inc., Staff USA, Inc., CareerStaff Unlimited, MSI International, Inc., Access Medical Staffing & Service, Drug Consultants, Infinity Quality Services Corporation, Licensed Medical Staffing, Inc., Morgan Management Services, Inc., Asereth Medical Services, and PrideStaff dba Rx Relief.
(Hearing held August 12, 2004).
5. **CASE NO. 05-4007EA**
Appeal from denial of discrimination complaint. Outside contractor. Department of Transportation.
(Oral argument held July 10, 2007).
6. **PERSONAL SERVICES CONTRACT NO. 07-02, CASE NO. 07-003(b)**
Appeal in the matter of the Executive Officer's disapproval of the Janitorial Services contract. Department of Health Services.
(Oral argument held on September 4, 2007).
7. **CASE NO. 06-3014PA.** Appeal from official reprimand. Correctional Sergeant. Department of Corrections and Rehabilitation.
(Oral argument held on December 4, 2007).

8. **PERSONAL SERVICES CONTRACT NO. 07-04.** Appeal from Executive Officer's disapproval of Personal Services Contract for Psychological Services. Department of Mental Health.
(Oral argument held on December 4, 2007).

A D J O U R N M E N T



(Cal. 02/22/08)

TO: Members
State Personnel Board

FROM: State Personnel Board - Legislative Office

SUBJECT: LEGISLATION

The status of major legislation being followed for impact on Board programs and the general administration of the State Civil Service Merit System is detailed in the attached report.

Any legislative action that takes place after the printing of this report, which requires discussion with the Board, will be covered during the Board meeting.

Please contact me directly should you have any questions or comments regarding this report. I can be reached at (916) 653-0453.

Sherry A. Evans
Director of Legislation

Attachment

BILL/ AUTHOR	BOARD POSITION	SUBJECT	STATUS OF BILL
AB 503 (Swanson)	Watch	Would require the California Research Bureau to conduct a study, to be submitted to the Legislature by June 30, 2008, on issues related to a requirement that state and local agencies provide eight hours' written notice to employees who are required to work overtime. The bill would require the study to address the impacts of such a requirement on both employers and employees .	06/14/2007-Referred to Com. on RLS. 06/14/2007-S RLS.
AB 671 (Beall)	No Position	Would make legislative findings and declarations regarding the state's responsibility for the well-being of foster youth and former foster youth. The bill would require the State Personnel Board to establish an Emancipated Foster Youth Examination and Appointment Program to promote the hiring of qualified foster youth in specified entry level positions in any state agency or department as determined by the board. The bill would require the board or its designee to conduct competitive examinations to determine the qualifications and readiness of emancipated foster youths for state employment. It would require that all examination appointments to positions under the program be made on a temporary and provisional basis, and would provide that, with the approval of the board, a candidate who successfully completes this temporary period may be appointed, without further examination, to an appropriate position in which civil service status may accumulate. The bill would allow applicants for and candidates in the program examination process to appeal specified actions . This bill contains other related provisions and other existing laws.	08/30/2007-In committee: Set, first hearing. Held under submission. 08/30/2007-S APPR. SUSPENSE FILE
AB 865 (Davis)		Would name these provisions the State Agency Live Customer Service Act. It would require each state agency to answer an incoming call on its main public line with a live customer service agent or automated telephone answering equipment with an automated prompt that allows a caller to select the option to speak with a live customer service agent, subject to certain exceptions.	02/07/2008-Referred to Com. on G.O. 02/07/2008-S G.O.
AB 890 (Aghazarian)	Watch	This bill would reestablish a Commission on Correctional Peace Officer Standards and Training ("CPOST") to be located within the Department of Corrections and Rehabilitation, as specified, and to remove responsibility for the training of correctional officers from the Corrections Standards Authority ("CSA").	08/30/2007-In committee: Set, first hearing. Held under submission. 08/30/2007-S APPR. SUSPENSE FILE
AB 1496 (Swanson)	No Position	For the counties and cities that have a civil service, personnel, or merit system, Assembly Bill 1496 requires them to classify all employees by March 1, 2008.	07/11/2007-In committee: Set, first hearing. Testimony taken. Further hearing to be set.

			07/11/2007-S L. GOV.
<u>AB 1779</u> (<u>Jones</u>)		if substitute notice is utilized, would require that notice to also be provided to the Office of Privacy Protection.	02/07/2008-Referred to Com. on JUD. 02/07/2008-A JUD.
<u>SB 26</u> (<u>Simitian</u>)	Neutral	This bill would require that demographic data collection by race be structured in a manner that allows the surveyed individual to select more than one race. A single category labeled "multi-racial" would be prohibited.	08/30/2007-Set, second hearing. Held in committee and under submission. 08/30/2007-A APPR. SUSPENSE FILE
<u>SB 364</u> (<u>Simitian</u>)		Would require the agency, person, or business, in addition to the duties specified above, to electronically report the breach to the Office of Information Security and Privacy Protection, as specified.	01/30/2008-In Assembly. Read first time. Held at Desk. 01/30/2008-A DESK
<u>SB 721</u> (<u>Ashburn</u>)	Watch	By January 1, 2010, this bill would require every state agency to establish and implement a succession plan, as defined. By January 1, 2012, the bill would require every state agency to report to the Legislature on the success or failure of the implemented succession plan, as specified.	08/30/2007-Set, second hearing. Held in committee and under submission. 08/30/2007-A APPR. SUSPENSE FILE
<u>SB 870</u> (<u>Ridley-Thomas</u>)	Neutral with Amendments	Would require an adverse action against a managerial, supervisory, or confidential employee, as defined, to commence within one year of the cause for discipline.	09/07/2007-Placed on inactive file on request of Assembly Member De Leon. 09/07/2007-A INACTIVE FILE
<u>SB 1019</u> (<u>Romero</u>)	Support if amended	Would state the intent of the Legislature to abrogate the California Supreme Court decision in Copley Press, Inc. v. Superior Court and to restore public access to meetings and hearings regarding peace officer discipline that were open prior to the Copley Press decision. This bill contains other related provisions.	06/26/2007-Set, first hearing. Held in committee without recommendation. 06/26/2007-A PUB. S.
Total rows: 11			

TO: STATE PERSONNEL BOARD

FROM: Joey Herrera, Staff Personnel Program Analyst
Department of Personnel Administration

REVIEWED BY: Margie Imai, Program Manager
Department of Personnel Administration

Belinda Collins, Chief
Classification and Compensation Division
Department of Personnel Administration

SUBJECT: Proposed revisions to the minimum qualifications for the Staff Psychiatrist, Correctional and Rehabilitative Services, (Safety); Senior Psychiatrist (Specialist), Correctional and Rehabilitative Services, (Safety); Senior Psychiatrist (Supervisor), Correctional and Rehabilitative Services, (Safety); Chief Psychiatrist, Correctional and Rehabilitative Services, (Safety); and revisions to Alternate Range Criteria 444.

REASON FOR HEARING:

On July 1, 2006, the California Department of Corrections and Rehabilitation (CDCR) established the department-specific Staff Psychiatrist, Correctional and Rehabilitative Services (C&RS) (Safety), Senior Psychiatrist (Specialist) C&RS (Safety), Senior Psychiatrist, (Supervisor) C&RS (Safety) and the Chief Psychiatrist, C&RS (Safety) classifications to provide diagnostic and treatment services to inmates and youthful offenders. The classification series was established to ensure compliance with the Federal Court's requirements to bring the minimum qualifications in line with Title XXII (Section 79567 of the California Administrative Code). However in doing so, the current minimum qualifications have been too restrictive and do not fully meet the Title XXII requirement. Therefore, CDCR is requesting a revision to the classification specifications to update the minimum qualifications and to update the alternate range criteria accordingly.

In accordance with Title XXII, the revisions to the minimum qualifications include adding possession of a valid certification issued by the American Board of Psychiatry and Neurology. The alternate range criteria is also being updated to add the appropriate board certification.

Further revisions to the minimum qualifications will add an additional pattern of acceptable training. An exception is added to allow an applicant who has completed a

residency program in psychiatry accredited by the Accreditation Council for Graduate Medical Education (ACGME) or certified by the Royal College of Physicians and Surgeons of Canada at the time the applicant completed the residency, qualify under this pattern of training upon verification that all requirements have been met. Currently, all psychiatrists hired to provide mental health care are required to have completed either a four-year psychiatry residency program or a three-year psychiatry residency and one-year flexible or transitional year program approved by the ACGME. Although the minimum qualifications mirror the ACGME's current training requirements, CDCR has learned that in the past, the ACGME approved residency programs of different lengths. As a result, there are psychiatrists who do not meet current ACGME requirements, but did meet the requirements at the time they completed their residency programs.

The proposed revisions to the class specifications will bring the minimum qualifications in compliance with Title XXII and will broaden the candidate pool to allow both board certified candidates as well as those applicants who have completed an approved psychiatry residency into the examination. This hearing provides an opportunity for interested parties to share any concerns or issues with the five-Member Board.

CONSULTED WITH:

Jennifer Nolan, CDCR, Office of Personnel Services
Kathy Olson, CDCR, Office of Personnel Services
Jacquelyn Cervantes, Department of Personnel Administration
Daphne Baldwin, State Personnel Board

In accordance with the terms of the Department of Personnel Administration/Union of American Physicians and Dentists (UAPD) contract, DPA has notified the union in writing of this proposal.

BACKGROUND AND CONSIDERATIONS:

See attached Part B. Classification Considerations.

RECOMMENDATIONS:

1. That the proposed revised specifications for the following classes as shown in this calendar be adopted:

Staff Psychiatrist, Correctional and Rehabilitative Services, (Safety)
Senior Psychiatrist (Specialist), Correctional and Rehabilitative Services, (Safety)
Senior Psychiatrist (Supervisor), Correctional and Rehabilitative Services, (Safety)
Chief Psychiatrist, Correctional and Rehabilitative Services, (Safety)

2. That Alternate Range Criteria number 444 be amended as follows:

Range A. This range shall apply to incumbents who do not meet the criteria for payment in Range B.

Range B. This range shall apply to incumbents who possess a valid certificate in psychiatry issued by the American Medical Board of Psychiatry and Neurology or the American Osteopathic Board of Neurology and Psychiatry.

When the requirements for the criteria for a range are met and the appointing power so recommends, the employee shall move to the appropriate rate in the higher range under the provisions of Department of Personnel Administration Rule 599.674.

CLASSIFICATION CONSIDERATIONS

Instructions: Complete after if Concept (Part A) is approved by DPA. Answer all applicable questions, providing enough information to support your proposal. Return this with a signed transmittal form to your DPA and SPB Analysts.

Background

1. Provide some historical perspective about the organizational setting of the subject class(es) and the needs that this request addresses.

In *Coleman v. Schwarzenegger*, the state entered into a settlement agreement, committing to significant changes in the delivery of mental health care services to inmates. Generally, the settlement agreement focuses on improving inmate access to mental health care, as well as the quality of mental health care services provided in the prisons. Under the agreement, independent court-appointed medical experts monitor the implementation of the agreement, and periodically report to the court on the state's progress in complying with the agreement. In the 15th round of monitoring, the Special Master noted the prevalence of the California Department of Corrections and Rehabilitation's (CDCR) psychiatrists who lack appropriate training in psychiatry.

As CDCR psychiatrists provide mental health care services to inmates and youthful offenders, the federal courts ordered that CDCR utilize those psychiatrists who adhere to Title XXII and the American Board of Psychiatry and Neurology's residency and training requirements to better meet the medical needs of inmates and youthful offenders. On July 1, 2006, the Psychiatrist, Correctional & Rehabilitative Services (C&RS) (Safety) classification series was established to ensure compliance with Title XXII requirements. Subsequently, the Department determined that the minimum qualifications were too restrictive and the alternate range criteria did not meet Title XXII. To be in compliance and to increase the candidate pool, the CDCR is proposing to revise the minimum qualifications for the Staff Psychiatrist, C&RS (Safety), Senior Psychiatrist (Specialist), C&RS (Safety), Senior Psychiatrist (Supervisor), C&RS (Safety) and the Chief Psychiatrist, C&RS (Safety). The department also requests an update to the alternate range criteria to reflect these changes.

Classification Considerations

2. What classification(s) does the subject class(es) report to?

The Staff Psychiatrist, C&RS (Safety) reports to the Senior Psychiatrist (Supervisor), C&RS (Safety).

The Senior Psychiatrist (Specialist), C&RS (Safety), and the Senior Psychiatrist (Supervisor), C&RS (Safety) report to the Chief Psychiatrist, C&RS.

Chief Psychiatrist, C&RS (Safety) who work in the field report to the Health Care Manager. Chief Psychiatrist C&RS (Safety) who work in headquarters, report to the proposed Statewide Clinical Director.

3. Will the subject class(es) supervise? If so, what class(es)?

The Staff Psychiatrist, C&RS (Safety) may instruct and supervise interns, residents, and other health care providers as well as personnel assigned for special training.

The Senior Psychiatrist (Specialist), C&RS (Safety), may instruct and supervise interns, residents, health care providers and personnel assigned for special training.

The Senior Psychiatrist (Supervisor), C&RS (Safety), supervise physicians and other professional personnel giving psychiatric care to mentally ill patients.

The Chief Psychiatrist, C&RS (Safety), supervise the Staff Psychiatrist, C&RS (Safety), Senior Psychiatrist (Specialist), C&RS (Safety), and the Senior Psychiatrist (Supervisor), C&RS (Safety),

4. What are the specific duties of the subject class(es)?

Staff Psychiatrist, C&RS (Safety): In a correctional setting, examines and diagnoses psychiatric patients; determines type of psychiatric and general medical treatment needed; administers psychiatric treatment with assistance, as necessary, from other health care providers; performs general medical and surgical work; performs clinical psychiatric duties; makes clinical rounds and reviews progress of patients; prescribes changes in treatment when indicated; consults, as necessary, with supervisory psychiatrist on unusual, complex, or serious cases, or presents such cases to a clinical conference for advice or decision; may instruct and supervise interns, residents, and other health care providers, and personnel assigned for special training; participates in staff conferences and clinics; documents care provided in psychiatric/medical records; may provide relatives with information concerning patients in person or by correspondence; may perform research in psychiatry; and may serve periodically as officer-of-the-day.

In a headquarters or field office capacity, reviews, examines, and diagnoses psychiatric patients and patient records and files in mental health programs to determine progress, effectiveness, and/or appropriateness of treatment services offered; determines and recommends the type and degree of psychiatric and general medical treatment needed; provides clinical consultation to psychiatric staff in mental health programs on unusual, complex or serious problems and cases where technical expertise is needed; consults with the Director and staff of a mental health program on correctional psychiatric matters; designs evaluation tools to ensure quality control of State correctional programs; consults with staffs of programs supported by the State concerning psychiatric problems; develops consultative-collaboration efforts with departments within the California Health and Human Services Agency as well as the Department of Education in matters relating to the mental health needs of the State; maintains order and supervises the conduct of persons committed to the California Department of Corrections and Rehabilitation; prevents escapes and injury by these persons to themselves, others or to property; maintains security of working areas and work materials; inspects premises and searches inmates or youthful offenders for contraband, such as weapons or illegal drugs.

Senior Psychiatrist (Specialist), C&RS (Safety): Provides treatment to patients requiring more difficult forms of psychiatric treatment; reviews clinical records of patients to assure their adequacy and proper administration; makes regular ward rounds and special

teaching rounds; provides consultation to mental health professional staff on the use of Federal Drug Administration (FDA) approved investigatory new drugs and other extra-formulary medication use per Penal Code 3502.5(a); provides consultation to mental health professional staff on new procedures that are required by the Legislature; assists in planning training programs and participates in the training of staff and the instruction of residents, interns, and other students; assists staff in the proper preparation of various required reports; develops new evaluation procedures in compliance with revised regulations; may preside at ward, diagnostic and clinical conferences and advise staff on appropriate treatment techniques for specific cases; makes regular ward rounds and special teaching rounds; and may be assigned to special teaching or administrative assignments. Also maintains order and supervises the conduct of persons committed to the CDCR; prevents escape and injury by these persons to themselves, others, or to property; maintains security of working areas and work materials; and inspects premises and searches inmates or youthful offenders for contraband, such as weapons or illegal drugs.

Senior Psychiatrist (Supervisor), C&RS (Safety): Assists in the supervision necessary to maintain high standards of psychiatric and general medical care and treatment for an assigned unit; supervises the work of a small medical staff and assists in the coordination of their activities with those of the nursing psychology, social work, rehabilitation therapy, and other ancillary staff; advises staff, either individually or by presiding at ward, diagnostic, and clinical conferences, on appropriate treatment techniques for specific cases; makes regular ward rounds and special teaching rounds; examines and treats patients requiring more difficult forms of psychiatric treatment; assists in planning training programs and participates in the training of staff and the instruction of residents, interns, and other students; assists in the evaluation of the performance of assigned medical staff and recommends appropriate action. Also maintains order and supervises the conduct of persons committed to the CDCR; prevents escape and injury by these persons to themselves, others, or to property; maintains security of working areas and work materials; and inspects premises and searches inmates or youthful offenders for contraband, such as weapons or illegal drugs.

Chief Psychiatrist, C&RS (Safety): Investigates behavior problems or mental disorders; supervises and participates in the diagnosis, care, and treatment of psychotic inmates in a correctional institution; gives or directs the giving of psychotherapy and other treatment for preventing and correcting behavior and physical disorders; directs and participates in staff conferences and clinics for the discussion of psychiatric problems of offenders and their care and treatment; recommends transfer, parole, or discharge of offenders, and recommends arrangements for follow-up and after-care during parole; secures and trains assistants; plans, directs, and evaluates their work and takes or recommends appropriate action with respect to their work performance; prepares reports and does research on problems of delinquency and adult criminality; maintains order and supervises the conduct of persons committed to the California Department of Corrections and Rehabilitation; prevents escapes and injury by these persons to themselves, others or to property; maintains security of working areas and work materials; inspects premises and searches inmates or youthful offenders for contraband, such as weapons or illegal drugs.

5. What is the decision-making responsibility of the subject class(es)?

A Staff Psychiatrist, C&RS (Safety) is a licensed and highly skilled health care professional, trained to provide patient evaluation, education, mental health services, and guidance needed by a patient.

A Senior Psychiatrist (Specialist), C&RS (Safety) works under general direction; provide advanced journey level psychiatric services to mentally ill patients; and to do other related work. This class is distinguished from classes at the higher levels by the responsibility for personally performing psychiatric treatment as a regular assignment. The specialized training and teaching functions distinguish it from the lower level class of Staff Psychiatrist.

A Senior Psychiatrist (Supervisor), C&RS (Safety) works under general direction, to supervise physicians and other health care providers giving psychiatric care to mentally ill patients; give psychiatric care to such patients. This class is distinguished from classes at the higher levels by the responsibility for personally performing psychiatric evaluation and/or treatment as a regular assignment. The supervisory responsibility distinguishes it from the lower level class of Staff Psychiatrist and the Senior Psychiatrist (Specialist).

A Chief Psychiatrist, C&RS (Safety) plans and directs the psychiatric and mental health services programs in a correctional institution. Examines diagnoses, classifies, prescribes treatment and rehabilitation programs for offenders in a diagnostic or outpatient clinic and directs the staff engaged in this work.

6. What would be the consequence of error if incumbents in the subject class(es) did not perform their jobs? (Program problems, lost funding, public safety compromised, etc.)

Staff Psychiatrist, C&RS (Safety) assess and manage the mental health needs of inmates and youthful offenders. Incumbents diagnose and treat mental health conditions and identify problems that require consultation with supervisory psychiatrists. Failure to do so may result in inmates and youthful offenders not receiving adequate mental health services. Failure to provide adequate care could result in injury or harm to staff, inmates or the inmate patient and would leave the department open to further litigation.

Senior Psychiatrist (Specialist), C&RS (Safety) assess and manage the mental health needs of inmates and youthful offenders and diagnose and treat mental health conditions and identify problems that require consultation with a supervisory psychiatrist. Failure to do so may result in inmates and youthful offenders not receiving adequate mental health services. Failure to provide adequate care could result in injury or harm to staff, inmates or the inmate patient and would leave the department open to further litigation.

Senior Psychiatrist (Supervisor), C&RS (Safety) supervise psychiatrists, advise staff, either individually or by presiding at clinical conferences, on appropriate treatment techniques for specific cases; reviews clinical records of patients to assure their adequacy and proper administration; makes regular clinical rounds and special teaching rounds; examines and treats patients requiring more complex psychiatric care. Failure to do so may result in inmates and youthful offenders not receiving adequate mental health services. Failure to provide adequate care could result in injury or harm to staff, inmates or the inmate patient and would leave the department open to further litigation.

Chief Psychiatrist, C&RS (Safety), Failure to plan and direct mental health service programs, and failure to provide treatment to mentally ill patients may result in inmates and youthful offenders not receiving adequate mental health care services. This failure to provide adequate care could result in injury or harm to staff, inmates or the inmate patient and would leave the department open to further litigation.

7. What are the analytical requirements expected of incumbents in the subject class(es)?

Staff Psychiatrist, C&RS (Safety): Examines and diagnoses patients; determines type of psychiatric and general medical treatment needed; makes clinical rounds; reviews progress of patients; and prescribes changes in treatment when indicated.

Senior Psychiatrist (Specialist), C&RS (Safety): Examines and diagnoses patients; determines type of psychiatric and general medical treatment needed; makes clinical rounds; reviews progress of patients; and prescribes changes in treatment when indicated.

Senior Psychiatrist (Supervisor), C&RS (Safety): Reviews clinical records of patients to assure their adequacy and proper administration; participates in and helps coordinate clinical research carried on in his/her unit, depending on particular qualifications; may be assigned to specialized teaching or administrative assignments.

Chief Psychiatrist, C&RS (Safety): Secures and reviews data on heredity, congenital, and environmental factors pertaining to individual offenders; reviews medical examination findings for evidence of organic disturbances related to behavior disorders; applies findings of psychological examination; determines organic conditions related to behavior disorders and prescribes psychiatric treatment.

8. What are the purpose, type, and level of contacts incumbents in the subject class(es) make?

The Staff Psychiatrist, C&RS (Safety) is in contact with inmates and youthful offenders in assessing and managing their mental health needs. Incumbents also need to maintain good working relationships with other members of the health care team (i.e., registered nurses, physician assistants, mid-level practitioners, and other clinicians).

Senior Psychiatrist (Specialist), C&RS (Safety) is in contact with inmates and youthful offenders in assessing and managing their mental health needs. Incumbents also need to maintain good working relationships with other members of the health care team (i.e., registered nurses, physician assistants, mid-level practitioners, and other clinicians).

Senior Psychiatrist (Supervisor), C&RS (Safety) supervises psychiatrists and other health care staff and is in contact with inmates and youthful offenders in assessing and managing their mental health needs. Incumbents also need to maintain good working relationships with other members of the health care team (i.e., registered nurses, physician assistants, mid-level practitioners, and other clinicians).

The Chief Psychiatrist, C&RS (Safety) is in contact with inmates and youthful offenders in assessing and managing their mental health care needs. Incumbents also need to maintain good working relationships with other members of the health care team (i.e., registered nurses, physician assistants, mid-level practitioners, and other clinicians).

Need for New Class (if necessary)

9. For new classes only: what existing classes were considered and why were they not appropriate?
N/A

Minimum Qualifications

10. What are the proposed or current minimum qualifications of the subject class(es), and why are they appropriate? (Include inside and outside experience patterns.)

Staff Psychiatrist C&RS (Safety)

MINIMUM QUALIFICATIONS

Possession of the legal requirements for the practice of medicine in California as determined by the Medical Board of California or the California Board of Osteopathic Examiners. (Applicants who are in the process of securing approval of their qualifications by the Medical Board of California or the Board of Osteopathic Examiners will be admitted to the examination, but the Board to which application is made must determine that all legal requirements have been met before candidates will be eligible for appointment.)
and

Possession of a valid certificate in psychiatry issued by the American Board of Psychiatry and Neurology.

Or

Satisfactorily completed specialized training requirements in psychiatry in programs that are either accredited by the Accreditation Council for Graduate Medical Education (ACGME), or certified by the Royal College of Physicians and Surgeons of Canada. Two patterns of training are acceptable:

Either I

Completion of a four-year residency training program in psychiatry accredited by the ~~American College of Graduate Medical Education~~ (ACGME). (Exception: Any applicant who completed a residency program in psychiatry that was accredited by the ACGME, or certified by the Royal College of Physicians and Surgeons of Canada at the time the applicant completed the residency will qualify under this pattern of training upon CDCR verification that all residency requirements were successfully completed, and if all other requirements are met.)

Or II

Completion of a broad-based clinical year of ACGME-accredited training program in internal medicine, family medicine, or pediatrics; or an ACGME-accredited transitional year program that included a minimum of four months of primary care; or an ACGME-accredited residency in a clinical specialty requiring comprehensive and continuous patient care. and

Three years of postgraduate, specialized residency training in an ACGME-accredited psychiatry program.

Senior Psychiatrist (Specialist), C&RS (Safety)

MINIMUM QUALIFICATIONS

Possession of the legal requirements for the practice of medicine in California as determined by the Medical Board of California or the California Board of Osteopathic Examiners. (Applicants who are in the process of securing approval of their qualifications by the Medical Board of California or the Board of Osteopathic Examiners will be admitted to the examination, but the Board to which application is made must determine that all legal requirements have been met before candidates will be eligible for appointment.)

and

Possession of a valid certificate in psychiatry issued by the American Board of Psychiatry and Neurology.

Or

Satisfactorily completed specialized training requirements in psychiatry in programs that are accredited by the Accreditation Council for Graduate Medical Education ACGME, or certified by the Royal College of Physicians and Surgeons of Canada: Two patterns of training are acceptable:

Either I

Completion of a four-year residency training program in psychiatry accredited by the ~~American College of Graduate Medical Education~~ (ACGME). (Exception: Any applicant who completed a residency program in psychiatry that was accredited by the ACGME, or certified by the Royal College of Physicians and Surgeons of Canada at the time the applicant completed the residency will qualify under this pattern of training upon CDCR verification that all residency requirements were successfully completed, and if all other requirements are met). and

Two years of experience in a psychiatric facility or on a hospital psychiatric service.

Or II

Completion of a broad-based clinical year of ACGME-accredited training program in internal medicine, family medicine, or pediatrics; or an ACGME-accredited transitional year program that included a minimum of four months of primary care; or an ACGME-accredited residency in a clinical specialty requiring comprehensive and continuous patient care. and

Three years of postgraduate, specialized residency training in an ACGME-accredited psychiatry program. And

Two years of experience in a psychiatric facility or on a hospital psychiatric service.

(Candidates who are within six months of meeting these requirements may take the examination, but they cannot be appointed until these requirements are met.)

Senior Psychiatrist (Supervisor), C&RS (Safety)

MINIMUM QUALIFICATIONS

Possession of the legal requirements for the practice of medicine in California as determined by the Medical Board of California or the California Board of Osteopathic Examiners. (Applicants who are in the process of securing approval of their qualifications by the Medical Board of California or the Board of Osteopathic Examiners will be admitted to the examination, but the Board to which application is made must determine that all legal requirements have been met before candidates will be eligible for appointment.)

and

Possession of a valid certificate in psychiatry issued by the American Board of Psychiatry and Neurology.

Or

Satisfactorily completed specialized training requirements in psychiatry in programs that are accredited by the Accreditation Council for Graduate Medical Education (ACGME), or certified by the Royal College of Physicians and Surgeons of Canada. Two patterns of training are acceptable:

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Completion of a four-year residency training program in psychiatry accredited by the ~~American College of Graduate Medical Education~~ (ACGME). (Exception: Any applicant who completed a residency program in psychiatry that was accredited by the ACGME, or certified by the Royal College of Physicians and Surgeons of Canada at the time the applicant completed the residency will qualify under this pattern of training upon CDCR verification that all residency requirements were successfully completed, and if all other requirements are met.) and

Two years of experience in a psychiatric facility or on a hospital psychiatric service.

Or II

Completion of a broad-based clinical year of ACGME-accredited training program in internal medicine, family medicine, or pediatrics; or an ACGME-accredited transitional year program that included a minimum of four months of primary care; or an ACGME-accredited residency in a clinical specialty requiring comprehensive and continuous patient care. and

Three years of postgraduate, specialized residency training in an ACGME-accredited psychiatry program. and

Two years of experience in a psychiatric facility or on a hospital psychiatric service.

(Candidates who are within six months of meeting these requirements may take the examination, but they cannot be appointed until these requirements are met.)

Chief Psychiatrist, C&RS (Safety)

MINIMUM QUALIFICATIONS

Possession of the legal requirements for the practice of medicine in California as determined by the Medical Board of California or the California Board of Osteopathic Examiners. (Applicants who are in the process of securing approval of their qualifications by the Medical Board of California or the Board of Osteopathic Examiners will be admitted to the examination, but the Board to which application is made must determine that all legal requirements have been met before candidates will be eligible for appointment.) and

Possession of a valid certificate in psychiatry issued by the American Board of Psychiatry and Neurology.

Or

Satisfactorily completed specialized training requirements in psychiatry in programs that are accredited by the Accreditation Council for Graduate Medical Education (ACGME), or certified by the Royal College of Physicians and Surgeons of Canada. Two patterns of training are acceptable:

Either I

Completion of a four-year residency training program in psychiatry accredited by the ~~American College of Graduate Medical Education (ACGME)~~. (Exception: Any applicant who completed a residency program in psychiatry that was accredited by the ACGME, or certified by the Royal College of Physicians and Surgeons of Canada at the time the applicant completed the residency will qualify under this pattern of training upon CDCR verification that all residency requirements were successfully completed, and if all other requirements are met.) and

Two years of experience as a psychiatrist in a correctional facility, in a psychiatric outpatient clinic, or in a diagnostic clinic.

Or II

Completion of a broad-based clinical year of ACGME-accredited training program in internal medicine, family medicine, or pediatrics; or an ACGME-accredited transitional year program that included a minimum of four months of primary care; or an ACGME-accredited residency in a clinical specialty requiring comprehensive and continuous patient care. and

Three years of postgraduate, specialized residency training in an ACGME-accredited psychiatry program. and

Two years of experience as a psychiatrist in a correctional facility, in a psychiatric outpatient clinic, or in a diagnostic clinic.

The proposed minimum qualifications are appropriate for these four classifications as they meet the standards articulated in Title XXII. Additionally, after the Psychiatrist C&RS series was established on July 1, 2006, it was discovered that in the past the ACGME approved psychiatry residency programs of different lengths. The language pertaining to ACGME-approved residencies has also changed to make the minimum qualifications less restrictive. Candidates

that are board certified meet current ACGME/Title XXII requirements. Therefore, it is appropriate to add a board certification pattern to the minimum qualifications and to make the revision to the alternate range criteria to add the board certification.

Probationary Period

The probationary period for the following classes will remain unchanged as follows: Staff Psychiatrist, C&RS (Safety) and the Senior Psychiatrist (Specialist), C&RS (Safety) are six months.

The probationary period for the Senior Psychiatrist (Supervisor), C&RS (Safety) and the Chief Psychiatrist, C&RS (Safety) is twelve months.

11. If a probationary period other than six months is proposed, what is the rationale?

N/A

Status Considerations

12. What is the impact on current incumbents?

Current incumbents who do not meet the revised minimum qualifications of the Psychiatrist C&RS (Safety) classification series will remain in their current classifications.

13. Will current employees move by examination, transfer, reallocation, split-off, etc.? Explain rationale.

Current incumbents who meet the revised alternate range criteria of the Psychiatrist C&RS (Safety) series will move to the appropriate alternate range.

Consulted With

14. In addition to the departmental contacts listed on the cover sheet, list the names and affiliations of persons who were consulted during the development of this proposal.

Dr. Andrew Swanson, CDCR, Division of Correctional Health Care Services
Lisa Tillman, Department of Justice, Attorney Generals Office
Joanne Cordy, CDCR, Selection Services Section
Cecilia Perrin, CDCR, Selection Services Section
Marlene Takeoka, CDCR, Adult Operations and Paroles
Sue Gladden, CDCR, Juvenile Justice and Boards

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

Schematic Code:	SF38
Class Code:	9758
Established:	7/1/06
Revised:	--
Title Changed:	--

STAFF PSYCHIATRIST, CORRECTIONAL AND REHABILITATIVE SERVICES (SAFETY)

DEFINITION

Under general direction, in a State correctional facility or outpatient clinic in the California Department of Corrections and Rehabilitation or where Department of Mental Health is used as a contractor to provide diagnostic and treatment services, to perform responsible psychiatric work or in a review, evaluation, or consultative capacity; to maintain order and supervise the conduct of inmates or youthful offenders; to protect and maintain the safety of persons and property; and to do other related work.

DISTINGUISHING CHARACTERISTICS

Employees in this class may work in any of the State correctional facilities or outpatient clinics in either an institution or a parole setting. Employees may also be used in headquarters or field offices in a review and/or consultative capacity.

In a correctional setting not having extensive psychiatric services, a Staff Psychiatrist may be the only psychiatrist on staff and provide all psychiatric services with assistance from other health care providers. Direction of a general nature may be received from a chief medical officer, typically on matters of clinical policies and regulations. Administrative direction only may be received from the Warden or Regional Administrator.

Staff Psychiatrists working in institutions or outpatient clinics which provide extensive psychiatric services work under the general direction of a psychiatrist of a higher level.

Staff Psychiatrists are responsible for making definitive diagnoses and treatment decisions. They also may be assigned general medical work in addition to their psychiatric duties.

Staff Psychiatrist is the entry and journey person level psychiatrist class in State service. Higher level psychiatrist classes involve either supervisory or training and teaching responsibilities.

TYPICAL TASKS

In a correctional setting, examines and diagnoses psychiatric patients; determines type of psychiatric and general medical treatment needed; administers psychiatric treatment with assistance, as necessary, from other health care providers; performs general medical and surgical work; performs clinical psychiatric duties; makes clinical rounds and reviews progress of patients; prescribes changes in treatment when indicated; consults, as necessary, with supervisory psychiatrist on unusual, complex, or serious cases, or presents such cases to a clinical conference for advice or decision; may instruct and supervise interns, residents, and other health care providers, and personnel assigned for special training; participates in staff conferences and clinics; documents care provided in psychiatric/medical records; may provide relatives with information concerning patients in person or by correspondence; may perform research in psychiatry; and may serve periodically as officer-of-the-day.

In a headquarters or field office capacity, reviews, examines, and diagnoses psychiatric patients and patient records and files in mental health programs to determine progress, effectiveness, and/or appropriateness of treatment services offered; determines and recommends the type and degree of psychiatric and general medical treatment needed; provides clinical consultation to psychiatric staff in mental health programs on unusual, complex, or serious problems and cases where technical expertise is needed; consults with the Director and staff of a mental health program on correctional psychiatric matters; designs evaluation tools to ensure quality control of State correctional programs; consults with staffs of programs supported by the State concerning psychiatric problems; develops consultative-collaboration efforts with departments within the California Health and Human Services Agency, as well as the Department of Education, in matters relating to the mental health needs of the State; maintains order and supervises the conduct of persons committed to the California Department of Corrections and Rehabilitation; prevents escapes and injury by these persons to themselves, others, or to property; maintains security of working areas and work materials; and inspects premises and searches inmates or youthful offenders for contraband, such as weapons or illegal drugs.

MINIMUM QUALIFICATIONS

Possession of the legal requirements for the practice of medicine in California as determined by the Medical Board of California or the California Board of Osteopathic Examiners. (Applicants who are in the process of securing approval of their qualifications by the Medical Board of California or the Board of Osteopathic Examiners will be

admitted to the examination, but the Board to which application is made must determine that all legal requirements have been met before candidates will be eligible for appointment.) and

Possession of a valid certificate in psychiatry issued by the American Board of Psychiatry and Neurology. or

Satisfactorily completed specialized training requirements in psychiatry in programs that are either accredited by the Accreditation Council for Graduate Medical Education (ACGME), or certified by the Royal College of Physicians and Surgeons of Canada, ~~and by meeting one of the following residency training.~~ Two patterns of training are acceptable:

Either I

Completion of a four-year residency program in psychiatry accredited by the ~~American College of Graduate Medical Education (ACGME).~~
(Exception: Any applicant who completed a residency program in psychiatry that was accredited by the ACGME, or certified by the Royal College of Physicians and Surgeons of Canada at the time the applicant completed the residency will qualify under this pattern of training upon Department of Corrections and Rehabilitation verification that all residency requirements were successfully completed, and if all other requirements are met.)

Or II

Completion of a broad-based clinical year of ACGME-accredited training program in internal medicine, family medicine, or pediatrics; or an ACGME-accredited transitional year program that included a minimum of four months of primary care; or an ACGME-accredited residency in a clinical specialty requiring comprehensive and continuous patient care. and

Three years of postgraduate, specialized residency training in an ACGME-accredited psychiatry program.

KNOWLEDGE AND ABILITIES

Knowledge of: Principles and methods of psychiatry, general medicine, and surgery and skill in their application; current developments in the field of psychiatry; mental health care organization and procedures; principles and application of psychiatric social work, clinical psychology, physical therapy, various rehabilitation therapies, and other ancillary medical services; principles and techniques of psychiatric research; and principles and practices of effective supervision and directing health care providers.

Ability to: Direct the work of others; instruct in the principles and practices of psychiatry; interpret laboratory analyses and x-rays; prepare and supervise the preparation of case histories and the

keeping of health care records; analyze situations accurately and take effective action; maintain effective working relationships with health care professionals and others; and communicate effectively.

SPECIAL PERSONAL CHARACTERISTICS

Persons appointed to this classification must be reasonably expected to have and maintain sufficient strength, agility, and endurance to perform during stressful (physical, mental, and emotional) situations encountered on the job without compromising their health and well-being or that of their fellow employees or that of inmates or youthful offenders.

Assignments may include sole responsibility for the supervision of inmates or youthful offenders and/or the protection of personal and real property.

ccd/sks

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

Schematic Code: SF37
Class Code: 9759
Established: 7/1/06
Revised: --
Title Changed: --

SENIOR PSYCHIATRIST (SPECIALIST), CORRECTIONAL AND REHABILITATIVE SERVICES (SAFETY)

DEFINITION

Under general direction, in a State correctional facility or outpatient clinic in the California Department of Corrections and Rehabilitation or where Department of Mental Health is used as a contractor to provide diagnostic and treatment services, to provide advanced journey level psychiatric services to mentally ill patients; to maintain order and supervise the conduct of inmates or youthful offenders; to protect and maintain the safety of persons and property; and to do other related work.

DISTINGUISHING CHARACTERISTICS

Employees in this class may work in any of the State correctional facilities or outpatient clinics in either an institution or a parole setting. Employees may also be used in headquarters or field offices in a review and/or consultative capacity. This class is distinguished from classes at the higher levels by the responsibility for personally performing psychiatric evaluation and/or treatment as a regular assignment. The specialized training and teaching functions distinguish it from the lower-level class of Staff Psychiatrist.

TYPICAL TASKS

In a correctional setting, provides evaluation and/or treatment to patients requiring more complex psychiatric care; reviews clinical records of patients to assure their adequacy and proper administration; makes regular clinical rounds and special teaching rounds; provides consultation to mental health professional staff on the use of Federal Drug Administration (FDA) approved investigatory new drugs and other extra-formulary medication use pursuant to provisions of the Penal Code; provides consultation to mental health professional staff on new correctional mental health procedures that are required by the Legislature; plans training programs and participates in the training of staff and the instruction of residents, interns, and other health care providers; personally prepares and/or assists staff in the proper preparation of various required reports; develops new evaluation procedures in compliance

with revised regulations; may preside at clinical conferences and advise staff on appropriate treatment techniques for specific cases; and depending on particular qualifications, may be assigned to special teaching or administrative assignments; maintains order and supervises the conduct of persons committed to the California Department of Corrections and Rehabilitation; prevents escapes and injury by these persons to themselves, others, or to property; maintains security of working areas and work materials; and inspects premises and searches inmates or youthful offenders for contraband, such as weapons or illegal drugs.

MINIMUM QUALIFICATIONS

Possession of the legal requirements for the practice of medicine in California as determined by the Medical Board of California or the California Board of Osteopathic Examiners. (Applicants who are in the process of securing approval of their qualifications by the Medical Board of California or the Board of Osteopathic Examiners will be admitted to the examination, but the Board to which application is made must determine that all legal requirements have been met before candidates will be eligible for appointment.) and

Possession of a valid certificate in psychiatry issued by the American Board of Psychiatry and Neurology. or

Satisfactorily completed specialized training requirements in psychiatry in programs that are either accredited by the Accreditation Council for Graduate Medical Education (ACGME), or certified by the Royal College of Physicians and Surgeons of Canada, ~~and by meeting one of the following residency training.~~ Two patterns of training are acceptable:

Either I

Completion of a four-year residency program in psychiatry accredited by the ~~American College of Graduate Medical Education (ACGME).~~
(Exception: Any applicant who completed a residency program in psychiatry that was accredited by the ACGME, or certified by the Royal College of Physicians and Surgeons of Canada at the time the applicant completed the residency will qualify under this pattern of training upon Department of Corrections and Rehabilitation verification that all residency requirements were successfully completed, and if all other requirements are met.) and

Two years of experience in a psychiatric facility or on a hospital psychiatric service.

Or II

Completion of a broad-based clinical year of ACGME-accredited training program in internal medicine, family medicine, or pediatrics; or an ACGME-accredited transitional year program that included a minimum of four months of primary care; or an ACGME-accredited residency in a clinical specialty requiring comprehensive and continuous patient care. and

Three years of postgraduate, specialized residency training in an ACGME-accredited psychiatry program. and

Two years of experience in a psychiatric facility or on a hospital psychiatric service.

(Candidates who are within six months of meeting these requirements may take the examination, but they cannot be appointed until these requirements are met.)

KNOWLEDGE AND ABILITIES

Knowledge of: Principles and methods of psychiatry, general medicine, and surgery; current developments in the field of psychiatry, including developmental disabilities; principles of neurology; principles and application of psychiatric social work, clinical psychology, physical therapy, the various rehabilitative therapies, and other health care services; psychiatric research methods and techniques; and principles, methods, and objectives of training treatment personnel.

Ability to: Coordinate and participate in psychiatric research; analyze situations accurately and take effective action; maintain effective working relationships with health care professionals and others; and communicate effectively.

SPECIAL PERSONAL CHARACTERISTICS

Empathetic understanding of patients of a State correctional facility and of the problems of the mentally ill, delinquency, and adult criminality; willingness to work in a State correctional facility; alertness; keenness of observation; tact; patience; emotional stability; and demonstrated leadership ability.

SPECIAL PHYSICAL CHARACTERISTICS

Persons appointed to this classification must be reasonably expected to have and maintain sufficient strength, agility, and endurance to perform during stressful (physical, mental, and emotional) situations encountered on the job without compromising their health and well-being or that of their fellow employees or that of inmates or youthful offenders.

Assignments may include sole responsibility for the supervision of inmates or youthful offenders and/or the protection of personal and real property.

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

Schematic Code: SF36
Class Code: 9761
Established: 7/1/06
Revised: --
Title Changed: --

SENIOR PSYCHIATRIST (SUPERVISOR), CORRECTIONAL AND REHABILITATIVE SERVICES (SAFETY)

DEFINITION

Under general direction, in a State correctional facility or outpatient clinic in the California Department of Corrections and Rehabilitation or where Department of Mental Health is used as a contractor to provide diagnostic and treatment services, to supervise physicians and other health care providers giving psychiatric care to mentally ill patients; give psychiatric services to such patients; to maintain order and supervise the conduct of inmates or youthful offenders; to protect and maintain the safety of persons and property; and to do other related work.

DISTINGUISHING CHARACTERISTICS

Employees in this class may work in any of the State correctional facilities or outpatient clinics in either an institution or a parole setting. Employees may also be used in headquarters or field offices in a review and/or consultative capacity. This class is distinguished from classes at the higher levels by the responsibility for personally performing psychiatric evaluation and/or treatment as a regular assignment. The supervisory responsibility distinguishes it from the lower-level class of Staff Psychiatrist and the Senior Psychiatrist (Specialist).

TYPICAL TASKS

Assists in the supervision necessary to maintain high standards of psychiatric and general medical care and treatment for an assigned unit; supervises the work of a small medical staff and assists in the coordination of their activities with those of the nursing, psychology, social work, rehabilitation therapy, and other health care providers; advises staff, either individually or by presiding at clinical conferences, on appropriate treatment techniques for specific cases; reviews clinical records of patients to assure their adequacy and proper administration; makes regular clinical rounds and special teaching rounds; examines and treats patients requiring more complex

psychiatric care; plans training programs and participates in the training of staff and the instruction of residents, interns, and other health care providers; evaluates the performance of assigned health care staff and takes or recommends appropriate action; participates in and helps coordinate clinical research carried on in his/her unit; depending on particular qualifications, may be assigned to specialized teaching or administrative assignments; maintains order and supervises the conduct of persons committed to the California Department of Corrections and Rehabilitation; prevents escapes and injury by these persons to themselves, others, or to property; maintains security of working areas and work materials; and inspects premises and searches inmates or youthful offenders for contraband, such as weapons or illegal drugs.

MINIMUM QUALIFICATIONS

Possession of the legal requirements for the practice of medicine in California as determined by the Medical Board of California or the California Board of Osteopathic Examiners. (Applicants who are in the process of securing approval of their qualifications by the Medical Board of California or the Board of Osteopathic Examiners will be admitted to the examination, but the Board to which application is made must determine that all legal requirements have been met before candidates will be eligible for appointment.) and

Possession of a valid certificate in psychiatry issued by the American Board of Psychiatry and Neurology. or

Satisfactorily completed specialized training requirements in psychiatry in programs that are either accredited by the Accreditation Council for Graduate Medical Education (ACGME), or certified by the Royal College of Physicians and Surgeons of Canada, ~~and by meeting one of the following residency training.~~ Two patterns of training are acceptable:

Either I

Completion of a four-year residency program in psychiatry accredited by the ~~American College of Graduate Medical Education (ACGME).~~
(Exception: Any applicant who completed a residency program in psychiatry that was accredited by the ACGME, or certified by the Royal College of Physicians and Surgeons of Canada at the time the applicant completed the residency will qualify under this pattern of training upon Department of Corrections and Rehabilitation verification that all residency requirements were successfully completed, and if all other requirements are met.) and

Two years of experience in a psychiatric facility or on a hospital psychiatric service.

Or II

Completion of a broad-based clinical year of ACGME-accredited training program in internal medicine, family medicine, or pediatrics; or an

ACGME-accredited transitional year program that included a minimum of four months of primary care; or an ACGME-accredited residency in a clinical specialty requiring comprehensive and continuous patient care. and

Three years of postgraduate, specialized residency training in an ACGME-accredited psychiatry program. and

Two years of experience in a psychiatric facility or on a hospital psychiatric service.

(Candidates who are within six months of meeting these requirements may take the examination, but they cannot be appointed until these requirements are met.)

KNOWLEDGE AND ABILITIES

Knowledge of: Principles and methods of psychiatry, general medicine, and surgery; current developments in the field of psychiatry, including developmental disabilities; principles of neurology; principles and applications of psychiatric social work, clinical psychology, physical therapy, the various rehabilitative therapies, and other health care services; psychiatric research methods and techniques; principles and practices of personnel management; principles, methods, and objectives of training treatment personnel; and principles of effective supervision.

Ability to: Coordinate and participate in psychiatric research; direct and coordinate the work of a professional staff; analyze situations accurately and take effective action; maintain effective working relationships with health care professionals and others; and communicate effectively.

SPECIAL PERSONAL CHARACTERISTICS

Empathetic understanding of patients of a State correctional facility and of the problems of the mentally ill, delinquency, and adult criminality; willingness to work in a State correctional facility; alertness; keenness of observation; tact; patience; emotional stability; and demonstrated leadership ability.

SPECIAL PHYSICAL CHARACTERISTICS

Persons appointed to this classification must be reasonably expected to have and maintain sufficient strength, agility, and endurance to perform during stressful (physical, mental, and emotional) situations

encountered on the job without compromising their health and well-being or that of their fellow employees or that of inmates or youthful offenders.

Assignments may include sole responsibility for the supervision of inmates or youthful offenders and/or the protection of personal and real property.

CALIFORNIA STATE PERSONNEL BOARD

SPECIFICATION

Schematic Code:	SF35
Class Code:	9774
Established:	7/1/06
Revised:	--
Title Changed:	--

CHIEF PSYCHIATRIST, CORRECTIONAL AND REHABILITATIVE SERVICES (SAFETY)

DEFINITION

Under general direction, in a State correctional facility or headquarters in the California Department of Corrections and Rehabilitation, either (1) in a diagnostic or outpatient clinic to plan and direct the preventive and corrective general medical and psychiatric work with offenders; or (2) to plan and direct the psychiatric and mental health services programs in a correctional institution; or (3) in headquarters, has statewide responsibility for the Department's mental health program in such areas as program development, planning, standards, and evaluation; to maintain order and supervise the conduct of inmates or youthful offenders; to protect and maintain the safety of persons and property; and to do other related work.

TYPICAL TASKS

Investigates behavior problems or mental disorders; examines, diagnoses, classifies, prescribes treatment, and rehabilitation programs for offenders in a diagnostic or outpatient clinic and directs the staff engaged in this work; supervises and participates in the diagnosis, care, and treatment of psychotic inmates or youthful offenders in a correctional institution; secures and reviews data on heredity, congenital, and environmental factors pertaining to individual offenders; reviews medical examination findings for evidence of organic disturbances related to behavior disorders; applies findings of psychological examination; determines organic conditions related to behavior disorders and prescribes psychiatric treatment; gives or directs the giving of psychotherapy and other treatment for preventing and correcting behavior and physical disorders; directs and participates in staff conferences and clinics for the discussion of psychiatric problems of offenders and their care and treatment; recommends transfer, parole, or discharge of offenders, and recommends arrangements for follow-up and after-care during parole; secures and trains assistants; plans, directs, and evaluates their work and takes or recommends appropriate action with respect to their work performance; prepares reports and does research on problems

of delinquency and adult criminality; maintains order and supervises the conduct of persons committed to the California Department of Corrections and Rehabilitation; prevents escapes and injury by these persons to themselves, others, or to property; maintains security of working areas and work materials; inspects premises and searches inmates or youthful offenders for contraband, such as weapons or illegal drugs.

In headquarters, is responsible for the development of policies and standards for the mental health program to assure compliance with existing laws and regulations. Organizes, directs, and evaluates institutional and outpatient treatment programs; provides technical advice to advisory committees and mental health professionals engaged in the delivery of mental health services; consults with professional organizations, public officials, Department staff, and community groups on all phases of the Department's mental health program; establishes and maintains liaison and cooperative relationships with the mental health profession and allied groups; represents the department on issues regarding the Mentally Disordered Offender Act; supervises the transfer of inmates to the Department of Mental Health pursuant to appropriate Penal Code sections; conducts studies and prepares reports; and addresses professional and lay groups as well as legislative and other committees.

MINIMUM QUALIFICATIONS

Possession of the legal requirements for the practice of medicine in California as determined by the Medical Board of California or the California Board of Osteopathic Examiners. (Applicants who are in the process of securing approval of their qualifications by the Medical Board of California or the Board of Osteopathic Examiners will be admitted to the examination, but the Board to which application is made must determine that all legal requirements have been met before candidates will be eligible for appointment.) and

Possession of a valid certificate in psychiatry issued by the American Board of Psychiatry and Neurology. or

Satisfactorily completed specialized training requirements in psychiatry in programs that are either accredited by the Accreditation Council for Graduate Medical Education (ACGME), or certified by the Royal College of Physicians and Surgeons of Canada, ~~and by meeting one of the following residency training.~~ Two patterns of training are acceptable:

Either I

Completion of a four-year residency program in psychiatry accredited by the ~~American College of Graduate Medical Education (ACGME).~~
(Exception: Any applicant who completed a residency program in psychiatry that was accredited by the ACGME, or certified by the Royal College of Physicians and Surgeons of Canada at the time the applicant

completed the residency will qualify under this pattern of training upon Department of Corrections and Rehabilitation verification that all residency requirements were successfully completed, and if all other requirements are met.) and

Two years of experience as a psychiatrist in a correctional facility, in a psychiatric outpatient clinic, or in a diagnostic clinic.

Or II

Completion of a broad-based clinical year of ACGME-accredited training program in internal medicine, family medicine, or pediatrics; or an ACGME-accredited transitional year program that included a minimum of four months of primary care; or an ACGME-accredited residency in a clinical specialty requiring comprehensive and continuous patient care. and

Three years of postgraduate, specialized residency training in an ACGME-accredited psychiatry program. and

Two years of experience as a psychiatrist in a correctional facility, in a psychiatric outpatient clinic, or in a diagnostic clinic.

KNOWLEDGE AND ABILITIES

Knowledge of: Principles and methods of psychiatry including diagnosis and treatment of behavior problems, mental and emotional disturbances, and developmentally disabled; modern methods and principles of general medicine and neurology and skill in their application; literature and recent developments in the field of psychiatry; principles and practices of clinical psychology and psychiatric social work; principles and techniques of social psychiatric research; modern techniques, practices, and trends in the correction and prevention of delinquency and criminality; principles of effective supervision and personnel management; and principles, methods, and objectives of training treatment personnel.

Ability to: Apply the principles and methods of psychiatry including diagnosis and treatment of behavior problems, mental and emotional disturbances, and mental deficiency; coordinate, supervise, and evaluate the work of professional employees, and instruct and advise them in their work; formulate and effect practical and comprehensive plans for the psychiatric care and treatment of adult and juvenile offenders; establish and maintain cooperative relations with those contacted in the work; prepare clear and concise reports; and communicate effectively.

SPECIAL PERSONAL CHARACTERISTICS

Empathetic understanding of patients of a State correctional facility and of the problems of the mentally ill, delinquency, and adult criminality; demonstrated leadership ability; willingness to work in a State correctional facility; emotional stability; alertness; keenness of observation; tact; and patience.

SPECIAL PHYSICAL CHARACTERISTICS

Persons appointed to this classification must be reasonably expected to have and maintain sufficient strength, agility, and endurance to perform during stressful (physical, mental, and emotional) situations encountered on the job without compromising their health and well-being or that of their fellow employees or that of inmates or youthful offenders.

Assignments may include sole responsibility for the supervision of inmates or youthful offenders and/or the protection of personal and real property.

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Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RALPH COLEMAN, et al.,

Plaintiffs,

v.

ARNOLD SCHWARZENEGGER, et al.,

Defendants.

2:90-cv-00520 LKK JFM P

**AMENDED STIPULATION
AND [PROPOSED] ORDER
RE: CLINICAL
COMPETENCY OF
PSYCHIATRISTS,
CONFIDENTIALITY OF
IDENTIFYING
INFORMATION**

STIPULATION

I.

STIPULATION ON REVISED PROGRAM GUIDE LANGUAGE

The parties, by and through their counsel, have agreed that the Revised Program Guide will state as follows:

A. All newly-hired psychiatrists must meet minimum credentialing criteria as follows:

1. Current board certification from the American Board of Psychiatry and

AMENDED STIP., ORDER RE. PSYCH QUAL.

1 Neurologists; OR

2 2. Satisfactorily completed specialized training requirements in psychiatry
3 in programs that are accredited by the Accreditation Council for
4 Graduate Medical Education (ACGME) or certified by the Royal College of
5 Physicians and Surgeons of Canada. Two patterns of training are acceptable:

6 a. First Pattern of Training: Three-Year Psychiatry Residency Program

7 A broad-based clinical year of ACGME-accredited training in internal medicine,
8 family practice, or pediatrics; or an ACGME-accredited transitional year program
9 that included a minimum of four months of primary care; or an ACGME
10 accredited residency in a clinical specialty requiring comprehensive and
11 continuous patient care.

12 AND

13 Three full years of postgraduate, specialized residency training
14 in a psychiatry program accredited by the ACGME.

15 OR

16 b. Second Pattern of Training: Four-Year Psychiatry Residency Program

17 Four years of training in an ACGME-accredited program in
18 psychiatry is acceptable. A psychiatry PGY-1 must include at least four
19 months in internal medicine, family practice, and/or pediatrics. This
20 training must be in a clinical setting that provides comprehensive and
21 continuous patient care. No more than one month of this requirement may
22 be fulfilled by an emergency medicine rotation, as long as the
23 experience predominantly involves medical evaluation and treatment,
24 rather than surgical procedure. Neurology rotations may NOT be used to
25 fulfill this four-month requirement. (Exception: Any applicant who completed a
26 residency program in psychiatry that was accredited by the ACGME or certified
27 by the Royal College of Physicians and Surgeons of Canada at the time the
28 applicant completed the residency will qualify under this pattern of training upon

CDCR verification that all residency requirements were successfully completed and if all other requirements are met.

If the candidate's training program(s) is not currently accredited by the ACGME, CDCR shall research the history of the program(s) to determine if it was accredited at the time the candidate attended and completed the training.

B. All psychiatrists hired before January 2006 must meet the above criteria or must undergo a court-mandated evaluation of their clinical competency for employment in the position of psychiatrist with the California Department of Corrections and Rehabilitation.

C. In lieu of putting the deadline into the Revised Program Guide, the parties stipulate that this process will be completed by June 1, 2007.

D. Defendants shall make periodic reports to Special Master Keating and Plaintiffs' counsel concerning the evaluation process and the progress towards completion and will promptly notify Mr. Keating and Plaintiffs' counsel of any circumstances that threaten to prevent or impede the completion of the process by June 1, 2007.

II.

STIPULATION FOR ENTRY OF PROTECTIVE ORDER

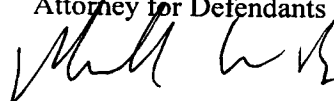
E. To the extent Defendants provide, by the request of the Special Master or Court, Plaintiffs' counsel with the identities of any psychiatrists hired before January 2006 who do not meet the above minimum credentialing criteria or who must undergo a court-mandated evaluation of their clinical competency for employment in the position of psychiatrist with the California Department of Corrections and Rehabilitation, the parties stipulate that the information will be subject to a seal imposed by this Court to ensure it is maintained on a confidential basis pursuant to applicable court rules.

Dated: 2-1-07

Dated: 2/1/07



Lisa A. Tillman, Esq.
Deputy Attorney General
Attorney for Defendants



Michael W. Bien, Esq.
Rosen, Bien & Asaro, LLP
Attorney for Plaintiffs

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Dated: 2/1/07

Steve Fama, Esq.
Prison Law Office
Attorney for Plaintiffs

[PROPOSED] ORDER

This Court has reviewed the first portion of the above stipulation of the parties concerning language to insert in the Revised Program Guide to address the clinical competency of psychiatrists and hereby adopts it as an order of this court.

This Court has reviewed the second portion of the above stipulation of the parties concerning the sealing of information containing or indicating the confidential nature of the identities of those CDCR psychiatrists hired before 2006 who do not meet minimum credentialing criteria. The Court approves the stipulated seal and makes it an order of the court.

Dated: _____ By: HON. LAWRENCE K. KARLTON
United States District Court Judge

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CF1997CS0003

**STATE PERSONNEL BOARD
NON-HEARING CALENDAR
RE: BOARD DATE FEBRUARY 22, 2008**

(Cal. 02/22/08)

MEMO TO : STATE PERSONNEL BOARD
FROM : MIKE STRAZZO, Merit Operations Division
SUBJECT : Non-Hearing Calendar Items for Board Action

Page

(1) **Group Supervisor Trainee**
Class Code 9578

No backup
documentation

500

(Cal. 02/22/2008)

MEMO TO : STATE PERSONNEL BOARD
FROM : MIKE STRAZZO, Merit Operations Division
SUBJECT : Staff Calendar Items for Board Information

NONE PRESENTED